

PATENT COOPERATION TREATY

PCT

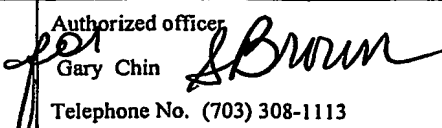
REC'D 11 APR 2005

WIPO

PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

| | | |
|--|---|---|
| Applicant's or agent's file reference 283359003651 | FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416) | |
| International application No. PCT/US03/41207 | International filing date (day/month/year) 19 December 2003 (19.12.2003) | Priority date (day/month/year) 20 December 2002 (20.12.2002) |
| International Patent Classification (IPC) or national classification and IPC IPC(7): G06F 17/00 and US Cl.: 701/19, 117; 705/8; 246/2R, 167R | | |
| Applicant UNION SWITCH & SIGNAL, INC. | | |
| <p>1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of <u>7</u> sheets, including this cover sheet.</p> <p><input type="checkbox"/> This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).</p> <p>These annexes consist of a total of <u>—</u> sheets.</p> <p>3. This report contains indications relating to the following items:</p> <p>I <input checked="" type="checkbox"/> Basis of the report</p> <p>II <input type="checkbox"/> Priority</p> <p>III <input type="checkbox"/> Non-establishment of report with regard to novelty, inventive step and industrial applicability</p> <p>IV <input type="checkbox"/> Lack of unity of invention</p> <p>V <input checked="" type="checkbox"/> Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</p> <p>VI <input type="checkbox"/> Certain documents cited</p> <p>VII <input type="checkbox"/> Certain defects in the international application</p> <p>VIII <input checked="" type="checkbox"/> Certain observations on the international application</p> | | |
| Date of submission of the demand 25 June 2004 (25.06.2004) | Date of completion of this report 24 March 2005 (24.03.2005) | |
| Name and mailing address of the IPEA/US Mail Stop PCT, Attn: IPEA/US Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450 Facsimile No. (703) 305-3230 | Authorized officer  Gary Chin Telephone No. (703) 308-1113 | |

Form PCT/IPEA/409 (cover sheet)(July 1998)

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/US03/41207

I. Basis of the report

1. With regard to the elements of the international application:*

- ☒ the international application as originally filed.
- ☒ the description:
pages 1-47 as originally filed
pages NONE filed with the demand
pages NONE filed with the letter of _____
- ☒ the claims:
pages 48-70 as originally filed
pages NONE as amended (together with any statement) under Article 19
pages NONE filed with the demand
pages NONE filed with the letter of _____
- ☒ the drawings:
pages 1-9 as originally filed
pages NONE filed with the demand
pages NONE filed with the letter of _____
- ☐ the sequence listing part of the description:
pages NONE as originally filed
pages NONE filed with the demand
pages NONE filed with the letter of _____

2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language _____ which is:

- ☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of the translation furnished for the purposes of international preliminary examination (under Rules 55.2 and/or 55.3).

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in printed form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages NONE
- ☐ the claims, Nos. NONE
- ☐ the drawings, sheets/fig NONE

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).**

* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17).

** Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.
PCT/US03/41207

V. Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. STATEMENT

| | | |
|-------------------------------|--------------------|-----|
| Novelty (N) | Claims <u>1-94</u> | YES |
| | Claims <u>NONE</u> | NO |
| Inventive Step (IS) | Claims <u>1-94</u> | YES |
| | Claims <u>NONE</u> | NO |
| Industrial Applicability (IA) | Claims <u>1-94</u> | YES |
| | Claims <u>NONE</u> | NO |

2. CITATIONS AND EXPLANATIONS

Claims 1-94 meet the criteria set out in PCT Article 33(2)-(3), because the prior art does not teach or fairly suggest the claimed traffic method and apparatus as well as the traffic management system by (1) determining a first planning boundary based on the traffic conditions in a region and generating a first plurality of traffic plans and then selecting one of the plans as a first optimized traffic plan, (2) determining a second planning boundary by updating the first planning boundary based on the current traffic conditions and generating a second plurality of traffic plans, (3) selecting one of the first and second plurality of traffic plans as a second optimized plan and (4) outputting the second optimized traffic plan to control traffic in the region as called for in the aforementioned claims.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/US03/41207

VIII. Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the questions whether the claims are fully supported by the description, are made:

Claim 87 is objected to under PCT Rule 66.2(a)(v) as lacking clarity under PCT Article 6 because claim 87 is indefinite for the following reason(s): On line 2, "said apparatus" lacks proper antecedent basis and should be changed to "said system" in order to rectify the problem.